

**A RESOLUTION**

BY C. T. Martin (See Robin Pitts)

**A RESOLUTION TO ADOPT A POLICY THAT WHENEVER THE CITY IS FOUND LIABLE BY A COURT OF LAW AND A JUDGMENT IS RENDERED AGAINST THE CITY AND AFTER THE EXHAUSTION OF ALL MOTIONS AND APPEALS, IT IS CONCLUSIVELY ESTABLISHED THAT THE CITY'S LIABILITY WAS BASED UPON THE NEGLIGENCE, MISFEASANCE, MALFEASANCE, OR NONFEASANCE OF A CITY OFFICER(s) OR EMPLOYEE(s), THE CITY, AFTER PAYMENT OF THE JUDGMENT, SHALL SEEK REIMBURSEMENT IN THE AMOUNT OF THE JUDGMENT FROM SUCH OFFICER(s) OR EMPLOYEE(s) AND FOR OTHER PURPOSES**

**The Council of the City of Atlanta, Georgia Hereby Resolves as follows:**

**Section 1:** The City of Atlanta hereby adopts a policy that whenever the City is found liable by a court of law and a judgment is rendered against the City and after the exhaustion of all motions and appeals, it is conclusively established that the City's liability was based upon the negligence, misfeasance, malfeasance, or nonfeasance of a City officer(s) or employee(s), the City, after payment of the judgment, shall seek reimbursement in the amount of the judgment from such officer(s) or employee(s).

**Section 2:** All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

RCS# 3298  
11/19/01  
5:22 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Ordinances #1 thru #16  
Except #8, #11, 18; Resol #1 through #2  
FILE

#1) 99-R-0866

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT: 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

**99-R -0866**

(Do Not Write Above This Line)

A RESOLUTION

BY C.T. Moulton (Via Rm. 14)

A RESOLUTION TO ADOPT A POLICY THAT WHENEVER THE CITY IS FOUND LIABLE BY A COURT OF LAW AND A JUDGMENT IS RENDERED AGAINST THE CITY AND AFTER THE EXHAUSTION OF ALL MOTIONS AND APPEALS, IT IS CONCLUSIVELY ESTABLISHED THAT THE CITY'S LIABILITY WAS BASED UPON THE NEGLIGENCE, MISFEASANCE, MALFEASANCE, OR NONFEASANCE OF A CITY OFFICER (S) OR EMPLOYEE (S), THE CITY, AFTER PAYMENT OF THE JUDGMENT, SHALL SEEK REIMBURSEMENT IN THE AMOUNT OF THE JUDGMENT FROM SUCH OFFICER (S) OR EMPLOYEE (S) AND FOR OTHER PURPOSES.

RETEFERRED: COUNSEL  
MOTION: Substantially Motions to  
FILED: 11/3/99 Before Certified without  
objection

FILED BY  
CITY COUNCIL

Committee	First Reading
Date	5/13/99
Chair	C.T. Moulton
Referred to	

FINAL COUNCIL ACTION		2nd & 3rd Readings	
		<input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> R/C Vote	
Committee	P. S. L. A.	CERTIFIED	
Date	11/29/99	Date	
Chair	C.T. Moulton		
Action:	Fav, Adv, Hold (see rev. side)	Action:	Fav, Adv, Hold (see rev. side)
Other:	FILE	Other:	
Members	J. W. [Signature] C. T. [Signature] D. [Signature]	Members	J. W. [Signature] C. T. [Signature] D. [Signature]
Refer To		Refer To	
Committee	P. S. L. A.	CERTIFIED	
Date	12/19/99	Date	NOV 19 2001
Chair		Chair	Ronald Daugherty, Mayor MUNICIPAL CLERK
Action:		Action:	Fav, Adv, Hold (see rev. side)
Other:		Other:	
Members	J. W. [Signature] C. T. [Signature] D. [Signature]	Members	J. W. [Signature] C. T. [Signature] D. [Signature]
Refer To		Refer To	
CONSENT REFER	NOV 19 2001	MAYOR'S ACTION	
<input type="checkbox"/> REGULAR REPORT REFER			
<input type="checkbox"/> ADVERTISE & REFER			
<input type="checkbox"/> 1st ADOPT 2nd READ & REFER			
<input checked="" type="checkbox"/> PERSONAL PAPER REFER			
Date Referred	5/3/99		
Referred To:	Public Safety & Legal Admin.		
Date Referred	12/6/99		
Referred To:	Public Safety & Legal Admin.		
Date Referred	3/28/00		
Referred To:	4/11/00		